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TAGS: [PGOV](#) [PTER](#) [IZ](#)  
SUBJECT: RRT ERBIL: UN SRSG DE MISTURA ADDRESSES KURDISH  
ASSEMBLY ON ARTICLE 140

REF: BAGHDAD 4068

This is an Erbil Regional Reconstruction Team message.

11. (U) Summary: In a Kurdistan National Assembly (KNA) session December 17, United Nations Special Representative of the Secretary General (UN SRSG) Staffan de Mistura presented UNAMI's proposal for a six-month technical delay of the Article 140 process and offered UN technical support to serve as the "engine to accelerate the process." KRG's representative to the GOI's Article 140 Committee, Mohammed Ihsan, said the KRG supports the UN proposal, but the KNA must decide whether or not the proposal is accepted. KNA Speaker Adnan Mufti concluded the session by calling on KNA members to meet again December 26 or 27 to decide whether or not to accept the proposal. End Summary.

12. (U) KRG's representative to the Article 140 Committee, Mohammed Ihsan, opened the session by noting that the GOI would still bear the responsibility of finishing the process, even if the deadline is missed and the UN provides assistance. He said UNAMI had offered technical support, for six months only, and the KRG would be willing to accept the assistance. However, he noted, the KNA must make the decision on whether or not to accept the UN's proposal, as Article 140 stipulates that the people must decide the fate of the disputed areas.

13. (U) UN SRSG Staffan de Mistura began by emphasizing his experience in the Kurdistan Region of Iraq in 1991, and that he understood the suffering of all Iraqis under Saddam Hussein's regime. He noted that UN Secretary General Ban supported the UN's role in Iraq, as evidenced by the UNSCR 1770. He said that although there were "concrete facts and deadlines" in the constitution, there was no way to organize a referendum before the end of the year. But, he added, "we cannot let the process fade away, through constant postponements." He said he had proposed a six-month technical delay and UN assistance, in person and in writing, to the GOI Presidency Council, Prime Minister Maliki, and KRG Prime Minister Nechirvan Barzani. Holding up a UN folder, de Mistura said the folder contained the letter and also a UN press release, which demonstrated the UN's public commitment to Article 140. He said the political leaders mentioned above had accepted his proposal.

14. (U) De Mistura asked the KNA to "keep Article 140 alive" and to decide to support his proposal. He said UNAMI would serve as "the engine that accelerates the process" and would provide international legitimacy. He admitted that the UN had often disappointed, and was not a perfect organization. But, he added, "I was here in 1991, with the UN flag, we were here with you." He also noted that UN technical support for the 2005 constitutional referendum had been crucial, and the referendum had been a success. He said KNA members must think "with their heart and mind" and that "courage is in

acting rationally."

¶5. (U) Adnan Mufti, KNA's speaker, responded to de Mistura's presentation by asking KNA members to mull over a decision during the Eid al Adha holiday, and return to the KNA December 26 or 27 to make a decision. (Note: Eid al Adha is normally a four day holiday, and is due to begin Wednesday, December 19. Given that the holiday will fall partially over the week-end, the KRG may announce official holidays on December 23 and 24. End Note.)

¶6. (U) Kemal Kerkuki, KNA's deputy speaker concluded the special session by blaming the GOI for the failure of the Article 140 process. He said that the GOI had managed to hold two elections and a referendum since 2003, so why was the GOI unable to organize a referendum on Article 140? He said that political groups are against the process, and that Maliki himself was to blame for Article 140's delay.

¶7. (SBU) Comment: KRG President Barzani has consistently stated that the KNA must approve any delay. While the KNA has no formal legal authority over Article 140, its endorsement by the KDP, PUK, and smaller parties would maintain Kurdish unity and shield the KDP and PUK leadership from criticism. End Comment.  
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